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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF WASHINGTON**

12 STATE OF WASHINGTON, et al.,

13 Plaintiffs,

14 v.

15 UNITED STATES FOOD AND
DRUG ADMINISTRATION, et al.,

16 Defendants.
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18
19
20
21
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NO. 1:23-cv-03026-TOR

ORDER GRANTING PLAINTIFF
STATES' MOTION TO
SUPPLEMENT THE
ADMINISTRATIVE RECORD

[PROPOSED]

02/20/2024
Without Oral Argument

[PROPOSED] ORDER GRANTING
PLAINTIFF STATES' MOTION TO
SUPPLEMENT THE
ADMINISTRATIVE RECORD

ATTORNEY GENERAL OF WASHINGTON
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1 This matter came before the Court on Plaintiff States' Motion to Supplement
2 the Administrative Record. The Court has considered all of the following:

- 3 1. Plaintiff States' Motion to Supplement the Administrative Record
4 (ECF No. _____) with supporting declarations and exhibits;
- 5 2. Defendants' Response to Plaintiff States' Motion to Supplement the
6 Administrative Record (ECF No. _____);
- 7 3. Plaintiff States' Reply in Support of Motion to Supplement the
8 Administrative Record (ECF No. _____); and
- 9 4. The entire record in the above-captioned matter.

10 Being fully apprised of the matter, now, therefore, it is hereby ORDERED,
11 ADJUDGED, AND DECREED that the Plaintiff States' Motion to Supplement the
12 Administrative Record is hereby GRANTED.

13 The following documents shall be included in the Administrative Record:
14 (1) the October 4, 2022 citizen petition submitted by the American College of
15 Obstetricians and Gynecologists (ACOG) and 48 other organizations (previously
16 filed in this matter at ECF No. 61-1); (2) the 52 documents cited in the ACOG
17 citizen petition; (3) the FDA's January 3, 2023 letter denying the ACOG citizen
18 petition (previously filed in this matter at ECF No. 1-20); and (4) the Turnaway
19 Study.

20 It is SO ORDERED.

ISSUED this _____ day of _____ 2024.

HONORABLE THOMAS O. RICE

Presented by:

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/s/ Kristin Beneski

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